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Attorneys for WOLFF PRINCIPAL HOLDINGS, LP  
dba FREMONT & 9<sup>TH</sup> APARTMENTS

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SETH SCHORR,

Plaintiff,

v.

WOLFF PRINCIPAL HOLDINGS, LP dba  
FREMONT & 9<sup>th</sup> APARTMENTS;  
SCHINDLER ELEVATOR  
CORPORATION; DOES I through X; and  
ROE BUSINESS ENTITIES I through X,  
inclusive,

Defendants.

**CASE NO.: 2:22-CV-01806-MMD-MDC**

**STIPULATION AND ORDER RE  
WOLFF PRINCIPAL HOLDINGS, LP  
dba FREMONT & 9TH APARTMENTS  
DE-DESIGNATION OF EXPERT  
WITNESS AND AUGMENTATION OF  
EXPERT DISCLOSURE**

**STIPULATION AND ORDER RE WOLFF PRINCIPAL HOLDINGS, LP dba  
FREMONT & 9TH APARTMENTS DE-DESIGNATION OF EXPERT WITNESS AND  
AUGMENTATION OF EXPERT DISCLOSURE**

IT IS STIPULATED AND AGREED, by and between Plaintiff Seth Schorr, by and through his attorney of record, Nia Killebrew, Esq. of Richard Harris Law Firm; Defendant Wolff Principal Holdings, LP d/b/a Fremont & 9th Apartments (hereinafter “Wolff”), by and through its attorney of record, David S. Lee, Esq. of Lee, Landrum & Ingle, and Defendant Schindler Elevator Corporation, by and through its attorney of record, Jay J. Schuttert of Evans Fears Schuttert, that Wolff be permitted to De-Designate its expert Michael Fagan QEC, CFLC of ATIS Elevator Consultants, due to Mr. Fagan’s retirement in late 2024, and that Wolff be permitted to Augment its Expert Witness disclosure, served September 3, 2024, to replace Mr. Fagan, and designate Timothy Marshall, QEI, of ATIS Elevator Consultants, in his place.

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Wolff's Expert Disclosure will be revised as follows:

4. ~~Michael Fagan QEC, CFLC  
Jill Sweeney  
Frank Fletcher  
Northwestern Region  
ATIS Elevator Consultants  
Elk Grove, CA 95624  
(314) 668-7287~~

~~Mr. Fagan is a Senior Consultant & Northwestern Region Team leader for Commercial Consulting and Engineering services for elevator and escalator construction and modernization projects, and public money projects. He has expertise in interfacing with Federal, State and Local Governmental Agencies and Universities, Owners and Contractors, Architects, Managing Agents, HOAs, Carriers and Elevator Code Authorities for product availability, reliability, research, and Forensic Investigations. He also has expertise in equipment and Due Diligence Audits for Maintenance, Repairs, Owners Acceptance, and Construction defects. He will offer opinions in response to those of Plaintiff's experts and testify in a manner consistent with his report in this matter, a copy of which is attached as Exhibit D. Mr. Fagan's current curriculum vitae, fee schedule, and list of trial and deposition testimony for the previous four years are appended to his report.~~

~~All of the above named experts reserve the right to supplement and/or amend their opinions as discovery continues and as additional information becomes available.~~

4. Timothy Marshall, QEI, QEC  
Senior Consultant  
ATIS Elevator Consultants  
510 Wilson Road,  
Annapolis, MD 21401  
(410) 440-1830

Mr. Marshall holds a degree from the University of Baltimore, is a Certified Elevator Inspector and Certified Elevator Consultant. Mr. Marshall is a Senior Consultant and leader for Commercial Consulting and Engineering services for elevator and escalator construction and modernization projects, and public money projects. He has expertise in interfacing with Federal, State and Local Governmental Agencies and Universities, Owners and Contractors, Architects,

Managing Agents, HOAs, Carriers and Elevator Code Authorities for product availability, reliability, research, and Forensic Investigations. He also has expertise in equipment and Due Diligence Audits for Maintenance, Repairs, Owners Acceptance, and Construction defects. He will offer opinions in response to those of Plaintiff's experts and testify in a manner consistent with Mr. Fagan's original report and his own supplemental report, a copy of said supplement report is attached as Exhibit D. Mr. Marshall's current curriculum vitae, fee schedule, and list of trial and deposition testimony for the previous four years are appended to his report.

**SUBMITTED BY THE FOLLOWING COUNSEL OF RECORD:**

DATED this 3<sup>rd</sup> day of March 2025.

**LEE, LANDRUM & INGLE**

/s/ David S. Lee

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*Attorneys for Defendant Wolff Principal  
Holdings, LP dba Fremont & 9th Apartments*

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/s/ Nia C. Killebrew

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/s/ Jay J. Schuttert

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*Attorneys for Defendant/Cross-Defendant  
Schindler Elevator Corporation*

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~~PROPOSED~~ ORDER

IT IS SO ORDERED. Based upon the foregoing stipulation, Wolff Principal Holdings, LP d/b/a Fremont & 9th Apartments De-Designation of retired expert witness Michael Fagan, and Augmentation of its Initial Expert Disclosure to replace Michael Fagan with Tim Marshall is granted.

  
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Hon. Maximiliano D. Couvillier III  
United States Magistrate Judge  
DATED: 3/4/2025  
Case No. 2:22-cv-01806-MMD-MDC

Respectfully submitted by:

**LEE, LANDRUM & INGLE**

/s/ David S. Lee

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